

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CRIMINAL ACTION NO.: 5:02 CR 23**

**UNITED STATES OF AMERICA**           )  
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**LEONARD THOMAS NICHOLS,**       )  
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**vs.**

**ORDER**

**THIS MATTER** is before the Court on Defendant's Withdrawal of Motion for Resentencing, (file doc. 36), filed on February 20, 2006. Defendant has represented, through counsel, that he wishes to withdraw his Motion for Resentencing, (file doc. 33), and his Supplemental Motion for Resentencing, (file doc. 34), because he has nearly completed the service of his sentence. This motion will be granted.

**IT IS THEREFORE ORDERED** that Defendant's Withdrawal of Motion for Resentencing is hereby **GRANTED**. Further, the Clerk is directed to terminate Defendant's motions for resentencing, (file docs. 33, 34).

Signed: February 21, 2006



Richard L. Voorhees  
Chief United States District Judge

